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16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN FRANCISCO DIVISION**

19
 20 MARC OPPERMAN, et al.,
 21 Plaintiffs,
 22 v.
 23 KONG TECHNOLOGIES, INC., et al.
 24 Defendants.

Case No. 13-cv-00453-JST

CLASS ACTION

**STIPULATED MOTION FOR
 ADMINISTRATIVE RELIEF REGARDING
 PAYMENT OF CERTAIN CLAIMS WITH
 MISSING INFORMATION; [PROPOSED]
 ORDER**

THIS DOCUMENT ALSO RELATES TO:
Hernandez v. Path, Inc., No. 12-cv-1515-JST
 (collectively, the “Related Actions”)

1 **TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that all parties to the class action settlement, through their
3 counsel of record, STIPULATE pursuant to Civil Local Rules 7-11 and 7-12 that the Court
4 should enter this stipulated order allowing the settlement administrator, KCC, to mail physical
5 letters with Amazon credits codes on them to class members who submitted claims but whose
6 contact information was incomplete as discussed below.

7 WHEREAS, KCC has advised counsel for the parties that 502 of the class members who
8 submitted timely claims and requested distribution by check did not provide a name to go on that
9 check;

10 WHEREAS, neither KCC nor Class Counsel have been able to obtain those class
11 members' names;

12 WHEREAS, an additional 609 class members submitted claims for an Amazon credit
13 with an email address that is presently invalid (and which therefore cannot receive email);

14 WHEREAS, KCC has a mailing address for each class member in these two groups;

15 WHEREAS, KCC has recommended that it be allowed to send each of these groups of
16 class members an Amazon credit code in printed form rather than email (i.e. a printed "gift
17 card") as a method of distributing their payments; and

18 WHEREAS no other method of providing the benefits to these class members appears
19 available within the parameters of the settlement and the information known to KCC;

20 THEREFORE, it is hereby stipulated and agreed by the parties that:

21 1. the Court should instruct KCC to send via US Mail Amazon credit codes to the
22 502 class members who requested checks but have not provided their names notwithstanding
23 those class members' request for a check; and

24 2. the Court should instruct KCC to send via US Mail Amazon credit codes to the
25 609 class members whose emails are invalid, as well as to any other class members whose emails
26 are invalid at the time of the distribution.

27 IT IS SO STIPULATED.

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Dated: April 23, 2018

KERR & WAGSTAFFE LLP

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Dated: April 23, 2018

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**ATTORNEYS FOR DEFENDANT TWITTER,
INC.**

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2018

THE HONORABLE JON S. TIGAR
United States District Judge

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ATTESTATION

I attest that concurrence in the filing of this document has been obtained from the other signatories listed above.

Dated: April 23, 2018

KERR & WAGSTAFFE LLP

By: /s/ Michael von Loewenfeldt
Michael von Loewenfeldt